

## NOTICE OF INTENT

Department of Agriculture and Forestry  
Office of Animal Health Services  
Livestock Sanitary Board

Rendering Plants, Contagious Diseases, Brucellosis Eradication (LAC 7:XXI.Chapter 117)

In accordance with provisions of the Administrative Procedures Act, the Department of Agriculture and Forestry, Livestock Sanitary Board, proposes to adopt rules amending the regulation pertaining to vehicles and containers used in the transportation of dead animals or offal used in a rendering plant, amending the regulations pertaining to requirements for reporting contagious diseases, and amending the regulations pertaining to vaccination of heifer calves for Brucellosis.

These rules comply with and are enabled by R.S. 3:2091 et seq.

Title 7

AGRICULTURE AND ANIMALS

Part XXI. Diseases of Animals

Chapter 117. Livestock Sanitary Board

Subchapter A. General Provisions

§11715. Rendering Plant

A. Permit

1. No person shall operate a rendering plant without first obtaining a permit to operate from the board.

2. - 4. ...

B. Vehicles and Containers

1.a. - b. ...

2. Any vehicle used for hauling dead animals or offal shall be provided with a tarpaulin or other covering or be so constructed so as to shut off from view all such dead animals or offal, and said conveyance shall not stop by the way unless detained by unavoidable circumstances.

B.3. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and R.S. 3:2131.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 11:234 (March 1985), amended LR 11:615 (June 1985), LR 22: §11717. Requiring the Reporting of Contagious Diseases

A. In order to improve the protection of the livestock industry from the effects of contagious diseases of livestock, all veterinarians licensed in the state of Louisiana, are required to report to the state veterinarian, by telephone or wire, within 24 hours after diagnosis or tentative diagnosis, the occurrence of suspected occurrence of the following contagious diseases: hog cholera, anthrax, vesicular condition, scabies, equine encephalomyelitis, pullorum/typhoid, pseudorabies, Newcastle (OIE List A Diseases), Avian Influenza (OIE) List A Diseases), Ornithosis, Paramyxovirus (Other than Newcastle Disease), Infectious Encephalomyelitis, Infectious Laryngotracheitis (other than vaccine induced), or any other disease condition which may seriously threaten the welfare of the livestock and poultry industry.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:2094, and R.S. 3:2095.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Louisiana Livestock Sanitary Board, LR 11:615 (June 1985), amended LR 15:813 (October 1989), LR 16:391 (May 1990), LR 22:

Subchapter B. Cattle

§11734. Brucellosis Vaccination and Fee

A. - C. ...

D. When Louisiana is officially classified as Brucellosis Class Free in the Code of Federal Regulations by the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services, all nonvaccinated heifer calves between four and 12 months of age which are sold through an approved livestock auction market must be vaccinated with USDA approved brucellosis vaccine prior to being shipped from said approved livestock auction market, unless the heifer is to be shipped directly to an out-of-state

destination. There shall be a fee to be paid by the buyer of \$2 for each heifer calf required to be vaccinated for brucellosis, which fee shall be known as the brucellosis vaccination fee. The brucellosis vaccination fee shall be collected on the date of the sale from the buyer by the approved livestock auction market and forwarded to the Louisiana Department of Agriculture and Forestry no later than the 10th day of the month following the month in which the fee was collected.

E. If any part of this regulation is determined to be invalid for any reasons whatsoever then, in that event, the validity of the remainder of said regulation shall nevertheless not be adversely affected thereby.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:2221 and R.S. 3:2223.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 15:75 (February 1989), amended LR 22: §11735. Livestock Auction Market Requirements

All cattle which are sold or offered for sale in livestock auction markets must meet the general requirements of LAC 7:XXI.11709 and the following specific requirements:

A. Brucellosis

1. - 3. ...

4.a. While Louisiana is officially classified as Brucellosis Class A in the Code of Federal Regulations by the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services, all nonvaccinated heifer calves, between four and 12 months of age, must be vaccinated with USDA approved brucellosis vaccine prior to being sold. When Louisiana is officially classified as Brucellosis Class Free in the Code of Federal Regulations by the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services, all nonvaccinated heifer calves, between 4 and 12 months of age, which are not shipped directly to an out-of-state destination must be vaccinated with USDA approved Brucellosis vaccine prior to being shipped from an approved livestock auction market, or within 15 days from the date of sale.

4.b. - 7.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:2221 and R.S. 3:2228.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 11:237 (March 1985), amended LR 11:615 (June 1985), LR 12:501 (August 1986), LR 12:598 (September 1986), LR 13:556 (October 1987), LR 14:220 (April 1988), LR 14:695 (October 1988), LR 22:

§11737. Governing the Sale of Cattle in Louisiana by Livestock Dealers

All cattle which are sold or offered for sale by livestock dealers must meet the general requirements of LAC 7:XXI.11711 and the following specific requirements:

A. Brucellosis

1. - 2. ...

3.a. While Louisiana is officially classified as Brucellosis Class A in the Code of Federal Regulations by the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services, all heifer calves between four and 12 months of age must be vaccinated with USDA approved brucellosis vaccine, prior to being sold. When Louisiana is officially classified as Brucellosis Class Free in the Code of Federal Regulations by the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services, all heifer calves between four and 12 months of age must be vaccinated with USDA approved Brucellosis vaccine prior to being sold or within 72 hours from the date of sale, unless they are shipped to an out-of-state destination within 72 hours from the date of sale.

3.b. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:562, R.S. 3:2221 and R.S. 3:2228.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 11:615 (June 1985), amended LR 12:502 (August 1986), LR 13:558 (October 1987), LR 14:221 (April 1988), LR 22:

§11739. Governing the Sale and Purchases, Within Louisiana, of all Livestock

Not Governed by Other Regulations (Brucellosis Requirements)

It is a violation of this regulation to sell or purchase cattle, not governed by other regulations of the Livestock Sanitary Board, in Louisiana, for any purpose other than immediate slaughter, unless they meet one of the following requirements:

A. While Louisiana is officially classified as Brucellosis Class A in the Code of Federal Regulations by the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary

Services, heifers, four to 12 months of age, must be official brucellosis calfhood vaccinates to be eligible to be sold other than to slaughter or to a quarantined feedlot. When Louisiana is officially classified as Brucellosis Class Free in the Code of Federal Regulations by the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services, heifers, four to 12 months of age, must be official brucellosis calfhood vaccinates to be eligible to be sold other than to slaughter, or to a quarantined feedlot, or to an out-of-state destination to which they are shipped within 72 hours from the date of sale.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:2221, and R.S. 3:2228.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 11:238 (March 1985), amended LR 11:615 (June 1985), LR 12:502 (August 1986), LR 13:559 (October 1987), LR 18:837 (August 1992), LR 22:

All interested persons may submit written comments on the proposed rule through September 25, 1996, to Dr. Maxwell Lea, Jr., Department of Agriculture and Forestry, 5825 Florida Boulevard, Baton Rouge, LA 70806. A public hearing will be held on these rules on September 25, 1996, at 9 a.m. at the address listed above. All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing, at the hearing. No preamble concerning the proposed rules is available.

Lea, Jr.  
Secretary

Dr. Maxwell  
Executive

#### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

##### **RULE TITLE: Rendering Plants, Contagious Diseases, Brucellosis Eradication**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There would be no estimated costs or savings to local government units to implement the rendering plant and contagious diseases rule changes. It is estimated that there will be a savings of \$18,000 to state government units to implement the brucellosis eradication rule changes.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There would be no effect on revenue collections of state or local government units to implement the rendering plant and contagious diseases rule changes. It is estimated that there will be a reduction of \$18,000 to revenue collections of state or local government units to implement the brucellosis eradication rule changes.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

RENDERING PLANT RULE CHANGES It is estimated that there would be no costs or economic benefits to directly affected persons or nongovernmental groups.

CONTAGIOUS DISEASES RULE CHANGES Having these diseases listed individually in the state regulations is a recent requirement placed on U.S. poultry meat by Russia. Poultry producers selling poultry meat to Russia will be economically benefited by this regulation change by being able to continue to ship meat to Russia.

BRUCELLOSIS ERADICATION RULE CHANGES Louisiana cattle producers selling nonvaccinated calves at livestock auction markets will benefit by this rule change because they will no longer have to pay a \$2 per head fee to have their calves vaccinated for brucellosis. It is estimated that the rule change will save this group \$160,000 per year. Louisiana cattle producers buying nonvaccinated calves at livestock auction markets to take back to a Louisiana farm will be adversely affected by this rule change. Approximately 90 percent of calves sold at Louisiana auction markets move directly out of state. The 10 percent return to Louisiana farms will need to be vaccinated to protect them against this devastating disease. Producers who buy calves to take back to farms will have to pay vaccination fees of \$2 per head. The 20 accredited veterinarians who vaccinate calves at

auction markets will be adversely affected because they will be vaccinating 90 percent fewer calves.  
This will result in a decrease in income for this group of \$128,000.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule change will have no effect on competition and employment.

Richard Allen  
H. Gordon Monk  
Assistant Commissioner  
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Legislative Fiscal Office

Chief Coordinator of the